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212 637 2702 P.02/04

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADRIANA AGUILAR, ANDRES LEON, ELENA LEON, ERIKA GABRIELA GARCIA-LEON through her Next Friend Adriana Aguilar, CARSON AGUILAR through his Next Friend Adriana Aguilar, NELLY AMAYA, MARIO PATZAN DELEON, DAVID LAZARO PEREZ, WILLIAM LAZARO, TARCIS SAPON-DIAZ, SONIA BONILLA, BEATRIZ VELASQUEZ through her Next Friend Sonia Bonilla, DALIA VELASQUEZ through her Next Friend Sonia Bonilla, ELDER BONILLA, DIANA RODRIGUEZ, YONI REVOLORIO, JUAN JOSE MUANGOS, GONZALO ESCALANTE, YANET MARTINEZ, RAUL AMAYA, GLORIA VANESSA AMAYA, JOHN DOE #1, JANE DOE #1, JOHN DOE #2 through his Next Friend Jane Doe #1, JOHN DOE #3 through his Next Friend Jane Doe #1, JOHN DOE #4, and JOHN DOE #5 on behalf of themselves and all others similarly situated,
Plaintiffs,

-against-

IMMIGRATION AND CUSTOMS ENFORCEMENT
DIVISION OF THE UNITED STATES DEPARTMENT
OF HOMELAND SECURITY, MICHAEL CHERTOFF,
United States Secretary of the Department of Homeland
Security, JULIE L. MYERS, Assistant Secretary of
Homeland Security for Immigration and Customs
Enforcement, JOHN P. TORRES, Director of the Office
of Detention and Removal Operations, Immigration and
Customs Enforcement, CHRISTOPHER SHANAHAN,
New York Field Office Director for Detention and
Removal Operations, PETER J. SMITH, JOSEPH A.
PALMESE, JOHN and JANE DOE ICE AGENTS, and
JOHN ROE and JANE ROE ICE SUPERVISORS,

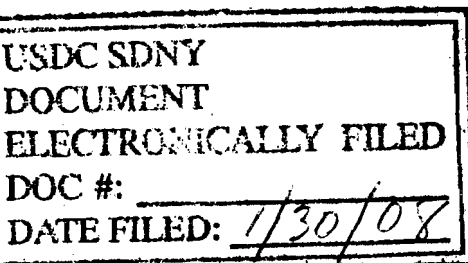
Defendants.

ECF Case
Civil Action No.
07 CIV 8224 (JGK) (FM)

**PROPOSED
DISCOVERY PLAN
AND SCHEDULING
ORDER**

Pursuant to Federal Rule of Civil Procedure 26(f), during a conference on January

18, 2008 between counsel for Plaintiffs and counsel for Defendants, counsel for the parties



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discussed and agreed to the following discovery plan relating to the *Bivens* claims asserted in Plaintiffs' Amended Class Action Complaint:¹

(1) Fed. R. Civ. P. 26(a)(1) Disclosures. The parties shall exchange initial disclosures required under Federal Rule of Civil Procedure 26(a)(1) no later than: February 15, 2008.

(2) First Requests for Production of Documents and Interrogatories. The parties shall exchange their First Requests for Production of Documents and first set of Interrogatories, pursuant to Federal Rules of Civil Procedure 33 and 34, no later than: February 15, 2008.

(3) End of Fact Discovery. All fact discovery shall be completed no later than: November 3, 2008.

(4) Expert Reports. Expert reports shall be served no later than: December 1, 2008. Rebuttal expert reports shall be served no later than: December 22, 2008. Replies of experts to the rebuttal expert reports shall be served no later than: January 12, 2009.

(5) End of Expert Discovery. All expert discovery shall be completed no later than: January 30, 2009.

(6) Summary Judgment Motions. Summary judgment motions shall be filed and served no later than: February 27, 2009. Oppositions to summary judgment motions shall be filed and served no later than: March 27, 2009. Replies to summary judgment motions shall be filed and served no later than: April 10, 2009.

¹ This Proposed Discovery Plan shall also apply to the *Bivens* claims asserted in any subsequent amendments to the Amended Class Action Complaint.

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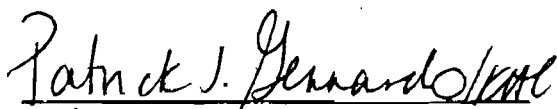
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(7) Trial. The parties shall be ready for trial on or after: June 1, 2009.

Plaintiffs have demanded a jury trial.


Dated: January 25, 2008
New York, New York

DEWEY & LEBOEUF LLP

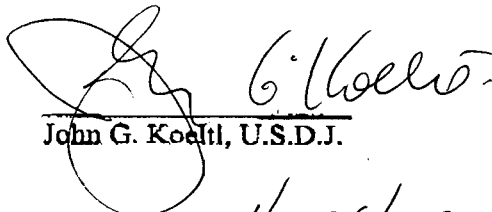

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SO ORDERED


John G. Koeltl, U.S.D.J.

1/ 28/09.